

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,

Plaintiff,

vs.

Noe Salinas-Ramirez,

Defendant.

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Case No. 3:25-cr-61

ORDER

A February 27, 2025 criminal complaint charged Noe Salinas-Ramirez with reentry after removal, in violation of 8 U.S.C. § 1326(a)(1). Following a March 5, 2025 detention hearing, this court entered an Order Setting Conditions of Release (OSCR) that required Salinas-Ramirez to reside with his partner and their two children, who are in the process of seeking asylum in this country.

After this court entered the OSCR, Immigration and Customs Enforcement (ICE) took custody of Salinas-Ramirez and detained him at the Kandiyohi County Jail, Willmar, Minnesota. On March 12, 2025, a grand jury indicted Salinas-Ramirez on a charge under § 1326(a)(1), this court issued a writ of habeas corpus ad prosequendum, and he appeared in this court for arraignment on April 1, 2025.

At the conclusion of the April 1 arraignment, Salinas-Ramirez asked that the writ be terminated and that he be returned to ICE custody pending further proceedings in this case. The United States objected, asserting it would be inefficient to return Salinas-Ramirez to ICE custody and it would be more convenient for all parties if he remained in federal custody. Salinas-Ramirez responded that holding him in federal custody would effectively override provisions of the Bail Reform Act and asserted communications with counsel would not be hindered if he returned to ICE custody.

As the United States acknowledged, there is no legal authority preventing return of Salinas-Ramirez to ICE custody. Though recognizing it may result in some future inconvenience to ICE, the court **GRANTS** Salinas-Ramirez's request. The United States Marshals Service is directed to return Salinas-Ramirez to ICE custody when its schedule allows.

IT IS SO ORDERED.

Dated this 2nd day of April, 2025.

/s/ Alice R. Senechal

Alice R. Senechal
United States Magistrate Judge